

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

NELSON IVAN BOTEQ-FLORES,
Appellant.

No. 2 CA-CR 2018-0122
Filed November 26, 2018

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.19(e).

Appeal from the Superior Court in Pima County
No. CR20173297001
The Honorable Michael R. Bluff, Judge

AFFIRMED

COUNSEL

Joel Feinman, Pima County Public Defender
By Sarah L. Mayhew, Assistant Public Defender, Tucson
Counsel for Appellant

STATE v. BOTE0-FLORES
Decision of the Court

MEMORANDUM DECISION

Judge Brearcliffe authored the decision of the Court, in which Presiding Judge Staring and Chief Judge Eckerstrom concurred.

BREARCLIFFE, Judge:

¶1 After a jury trial, Nelson Boteo-Flores was convicted of second-degree burglary and sentenced to a 6.5-year prison term. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530 (App. 1999), stating she has reviewed the record but found no arguably meritorious issue to raise on appeal. She asks this court to search the record for error. Boteo-Flores has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the jury's verdict, see *State v. Tamplin*, 195 Ariz. 246, ¶ 2 (App. 1999), the evidence is sufficient to support its verdict here, see A.R.S. § 13-1507(A). In February 2017, numerous items, including several firearms, were taken from the victim's home while he was away; Boteo-Flores's DNA was found on a water bottle left behind during the burglary. Evidence admitted pursuant to Boteo-Flores's stipulation supports the trial court's finding of Boteo-Flores's prior convictions. The sentence imposed is within the statutory range. See A.R.S. §§ 13-703(B), (I), 13-1507(B).

¶3 We have searched the record for reversible error and found none. We therefore affirm Boteo-Flores's conviction and sentence.